

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Grady Krzywkowski,

Plaintiff,

v.

Mike Davis, *et al.*,

Defendants.

Case No. 2:24-cv-3902

Judge Michael H. Watson

Magistrate Judge Vascura


ORDER

After performing an initial review of this prisoner civil rights case pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A, the Magistrate Judge issued a Report and Recommendation (“R&R”), recommending the Court grant in part and deny in part Defendants’ motion to dismiss. R&R, ECF No. 33. The R&R notified the parties of their right to object to that recommendation and that failure to timely object would waive the right to de novo review by the Undersigned and the right to appeal the Undersigned’s adoption of the R&R. *Id.* at 16–17.

The deadline for objecting has passed, and none were filed. Accordingly, the Court **ADOPTS** the R&R without further review. Defendants’ motion to dismiss is **GRANTED IN PART AND DENIED IN PART**. Litigation of Plaintiff’s Complaint shall proceed under the parameters described in the R&R. Specifically, punitive damages on Plaintiff’s breach of contract claim are unavailable, and Plaintiff may not proceed on a breach of contract claim on the

theory Defendants failed to provide sack meals. Moreover, Gary Mohr and the Doe Defendants are **DISMISSED**. The Clerk shall terminate ECF No. 33.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT